

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55390 of 2017

Arising Out of PS. Case No.-391 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Rajesh Sah @ Rajesh Chhaparia, Son of Santosh Sah, Resident of Village-
Gobarsahi, P.S.-Muzaffarpur Sadar, District-Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr. SMT. SAHIN BEGAM, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-11-2017 Heard Sri Ganesh Prasad Singh, learned counsel for the

petitioner and Smt. Sahin Begam, learned Addl. Public

Prosecutor.

The sole petitioner, who is in custody since 13.06.2017 in
Muzaffarpur Town P.S. Case No.391 of 2017 registered for the
offence under Section 401 of the Indian Penal Code and
Sections 25(1-b)a/26/35 of the Arms Act, has prayed for grant of
bail.

It was submitted by learned counsel for the petitioner that
only two cartridges and one knife was shown to be recovered
from the possession of the petitioner. He submits that though the
petitioner in custody since month of June,2017, till date charge
has not been framed. He has also argued that some of the



accused has been granted bail. He has specifically referred to order dated 20.09.2017 passed in Cr.Misc.No.45337 of 2017, whereby co-accused Md. Mister was granted bail by a Bench of this Court.

Considering the nature of accusation, period of custody as well as the fact that one of co-accused has been granted bail, there is no reason to refuse the prayer for bail of the petitioner. Accordingly, let the petitioner, namely, Rajesh Sah @ Rajesh Chhaparia be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.391 of 2017 with conditions that one of the bailors must be blood relation of the petitioner and before the court below, the petitioner would not endeavour to defer framing of charge or proceeding of the trial. If such complaint is made, the prosecution would be at liberty to file a petition for cancellation of his bail

(Rakesh Kumar, J)

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